

MEMO ENDORSED

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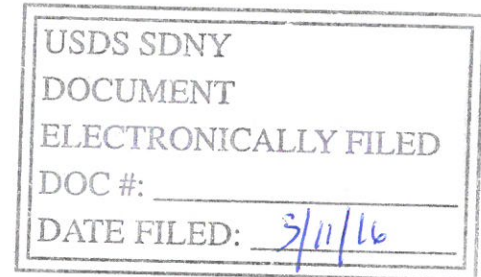
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March 11, 2016

Via E-Mail: SullivanNYSDCChambers@nysd.uscourts.gov

Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
Room 2104
New York, New York 10007



Re: U.S. v. Hector Emilio Fernandez-Rosa
Case no.: 12 CR-00894 (RJS)

Dear Judge Sullivan:

Receipt of your order dated today is hereby acknowledged regarding the Motion filed by Mr. Perez on Defendant's Motion for Substitution of Counsel. For the record, I do not object and hereby consent to the Substitution by Mr. Perez on behalf of the Defendant. What really happened here is that Mr. Perez sent me a Stipulation for Substitution of counsel which I found objectionable because it sought to place blame upon me for a breakdown of communication. There are irreconcilable differences between the undersigned and the Defendant which were occasioned by the Defendant. It is in the best interests of all the parties hereto that Mr. Perez enter as substitute attorney for the undersigned and to relieve the undersigned of any further responsibility with respect to this case and more specifically, this Defendant.

As to your order requiring my appearance before your honor next Wednesday March 16th at 2:30 p.m., the undersigned has a conflict in that I am departing on a pre-paid flight to North Carolina to visit one of my clients in Butner FCI. If your Honor would allow me, I can appear via telephone on the morning of the 16th up until about 1:30 in the afternoon. If my personal appearance is required by this Honorable Court, I am available from March 21st through the 23rd.

Consequently your Honor, Request is hereby made that you relieve me of the obligation of appearing personally before you on March 16th at 2:30 pm and to allow me appear by phone

earlier that date or if a personal appearance is preferred by the Court, that you adjourn said personal appearance for some time from the 21st to the 23rd of this month.

Respectfully Submitted,

By: /s/ Victor E. Rocha
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IT IS HEREBY ORDERED THAT the conference previously scheduled in this matter for March 16, 2016 at 2:30 p.m. is rescheduled to 12:15 p.m. the same day. Mr. Victor Rocha may appear by telephone and shall provide the Court with a telephone number where he will be reachable at the scheduled time.

SO ORDERED
Dated:



RICHARD J. SULLIVAN
WISD.J.